

# EXHIBIT 1



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1811-CC00606 - APARNA DEORA ET AL V SSM ST JOSEPH HOSP ST  
CHAS (E-CASE)

Case Header	Parties & Attorneys	Docket Entries	Charges, Judgments & Sentences	Service Information	Filings Due	Scheduled Hearings & Trials	Civil Judgments	Garnishments/ Execution
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☐ Ascending ▼[Click here to Respond to Selected Documents](#)06/29/2018 ☐ [Note to Clerk eFiling](#)☐ [Notice of Service](#)

Summons Returned Served Upon Jane Coffey RN at SSM Health St Joseph Hospital .

☐ [Return Service - Other](#)

Document ID - 18-SMCC-989; Served To - SSM HEALTH ST JOSEPH HOSPITAL ST CHARLES; Server - ; Served Date - 28-JUN-18; Served Time - 15:32:00; Service Type - Sheriff Department; Reason Description - Served; Service Text - Served Jane Coffey, RN CTL

06/22/2018 ☐ [Order](#)

PLAINTIFF'S MOTION TO PROCEED UNDER A PSEUDONYM IS GRANTED. SO ORDERED TH/mls

Filed By: TED HOUSE

Associated Entries: 06/22/2018 - [Other Proposed Document Filed](#) ±☐ [Summons Issued-Circuit](#)

Document ID: 18-SMCC-989, for SSM HEALTH ST JOSEPH HOSPITAL ST CHARLES. RETURNED TO REQUESTING PARTY FOR FORWARDING TO PROPER SHERIFF. TMV

☐ [Other Proposed Document Filed](#)

PROPOSED MOTION TO PROCEED UNDER PSEUDONYM

Associated Entries: 06/22/2018 - [Order](#) ±☐ [Consent to Appt Next Friend](#)

Filed By: APARNA DEORA PHD

☐ [Confid Filing Info Sheet Filed](#)

Filed By: APARNA DEORA PHD

☐ [Pet Filed in Circuit Ct](#)

VERIFIED PETITION

Filed By: APARNA DEORA PHD

☐ [Judge Assigned](#)

St. Charles County Sheriff's Department  
201 North Second Street, Ste. 440, St. Charles, MO 63301

**RETURN OF SERVICE** - Record # 2018-007163

Case No: 1811CC00606 Court: SAINT CHARLES  
Plaintiff: DEORA PHD, APARNA  
Defendant: SSM HEALTH ST JOSEPH HOSPITAL  
Court / Return Date: 07/22/2018 Doc ID#: 18-SMCC-989  
Type of Document: CIVIL SUMMONS Zone 01  
Party to be served: SSM HEALTH ST JOSEPH HOSPITAL, DBA SSM HEALTH MEDICAL GROUP  
Address: 711 VETERANS MEMORIAL PKWY #300, ST CHARLES, MO 63303  
Employment / Alternate:  
Special Info / Pedigree:

PARTY SERVED: Jane Coffey  
RELATIONSHIP / TITLE: RN CTL  
DATE: 6-28-18 Time 1532  
COMMENTS:

SCOTT A LEWIS, Sheriff of St. Charles County, Missouri

By: Deputy Signature

DSN 125

Printed Name

Deputy Gornicz

TOTAL FEES:

SERVICE SHERIFF'S DEPARTMENT USE ONLY

Date	Time	DSN	Comments



## IN THE 11TH JUDICIAL CIRCUIT, ST. CHARLES COUNTY, MISSOURI

Judge or Division: TED HOUSE	Case Number: 1811-CC00606	(Date File Stamp)
Plaintiff/Petitioner: APARNA DEORA PHD	Plaintiff's/Petitioner's Attorney/Address APARNA DEORA PHD 1559 TIMBERLAKE MANOR PKWY CHESTERFIELD, MO 63017	
Defendant/Respondent: SSM HEALTH ST JOSEPH HOSPITAL ST CHARLES DBA: SSM HEALTH MEDICAL GROUP	Court Address: 300 N 2nd STREET SAINT CHARLES, MO 63301	
Nature of Suit: CC Other Miscellaneous Actions		

## Summons in Civil Case

The State of Missouri to: SSM HEALTH ST JOSEPH HOSPITAL ST CHARLES

Alias:

DBA: SSM HEALTH MEDICAL GROUP

711 VETERANS MEMORIAL PKWY  
SUITE 300  
SAINT CHARLES, MO 63303

COURT SEAL OF



ST. CHARLES COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

6/22/2018  
Date/s/ Judy Zerr  
Clerk

Further Information:

## Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with \_\_\_\_\_, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: \_\_\_\_\_ (name) \_\_\_\_\_ (title).
- ☐ other: \_\_\_\_\_

Served at \_\_\_\_\_ (address)  
in \_\_\_\_\_ (County/City of St. Louis), MO, on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on \_\_\_\_\_ (date).

(Seal)

My commission expires: \_\_\_\_\_

Date

Notary Public RECEIVED

## Sheriff's Fees, if applicable

Summons \$ \_\_\_\_\_

Non Est \$ \_\_\_\_\_

Sheriff's Deputy Salary

Supplemental Surcharge \$ 10.00

Mileage \$ \_\_\_\_\_ (\_\_\_\_\_ miles @ \$.\_\_\_\_\_ per mile)

Total \$ \_\_\_\_\_

JUN 25 2018

SHERIFF  
ST CHARLES COUNTY MO

A copy of the summons and a copy of the petition must be served on each defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

St. Charles County Sheriff's Department  
201 North Second Street, Ste. 440, St. Charles, MO 63301

**RETURN OF SERVICE** - Record # 2018-007163

Case No: 1811CC00606 Court: SAINT CHARLES  
Plaintiff: DEORA PHD, APARNA  
Defendant: SSM HEALTH ST JOSEPH HOSPITAL  
Court / Return Date: 07/22/2018 Doc ID#: 18-SMCC-989  
Type of Document: CIVIL SUMMONS Zone 01  
Party to be served: SSM HEALTH ST JOSEPH HOSPITAL, DBA SSM HEALTH MEDICAL GROUP  
Address: 711 VETERANS MEMORIAL PKWY #300, ST CHARLES, MO 63303  
Employment / Alternate:  
Special Info / Pedigree:

PARTY SERVED: Jane Coffey  
RELATIONSHIP / TITLE: RN CTL  
DATE: 6-28-18 Time 1532  
COMMENTS:

SCOTT A LEWIS, Sheriff of St. Charles County, Missouri

By: Deputy Signature Deputy Gornicz

DSN 125

Printed Name Deputy Gornicz

TOTAL FEES:

SERVICE SHERIFF'S DEPARTMENT USE ONLY

Date	Time	DSN	Comments





## IN THE 11TH JUDICIAL CIRCUIT, ST. CHARLES COUNTY, MISSOURI

Judge or Division: TED HOUSE	Case Number: 1811-CC00606
Plaintiff/Petitioner: APARNA DEORA PHD	Plaintiff's/Petitioner's Attorney/Address APARNA DEORA PHD 1559 TIMBERLAKE MANOR PKWY CHESTERFIELD, MO 63017
Defendant/Respondent: SSM HEALTH ST JOSEPH HOSPITAL ST CHARLES DBA: SSM HEALTH MEDICAL GROUP	Court Address: 300 N 2nd STREET SAINT CHARLES, MO 63301
Nature of Suit: CC Other Miscellaneous Actions	(Date File Stamp)

## Summons in Civil Case

The State of Missouri to: SSM HEALTH ST JOSEPH HOSPITAL ST CHARLES

Alias:

DBA: SSM HEALTH MEDICAL GROUP

711 VETERANS MEMORIAL PKWY  
SUITE 300  
SAINT CHARLES, MO 63303

COURT SEAL OF



ST. CHARLES COUNTY

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6/22/2018  
Date/s/ Judy Zerr  
Clerk

Further Information:

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- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with \_\_\_\_\_, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: \_\_\_\_\_ (name) \_\_\_\_\_ (title).
- ☐ other: \_\_\_\_\_

Served at \_\_\_\_\_ (address)  
in \_\_\_\_\_ (County/City of St. Louis), MO, on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on \_\_\_\_\_ (date).

(Seal)

My commission expires: \_\_\_\_\_

Date

Notary Public RECEIVED

## Sheriff's Fees, if applicable

Summons \$ \_\_\_\_\_

Non Est \$ \_\_\_\_\_

Sheriff's Deputy Salary \$ \_\_\_\_\_

Supplemental Surcharge \$ 10.00

Mileage \$ \_\_\_\_\_ (\_\_\_\_\_ miles @ \$.\_\_\_\_\_ per mile)

Total \$ \_\_\_\_\_

JUN 25 2018

SHERIFF  
ST CHARLES COUNTY MO

A copy of the summons and a copy of the petition must be served on each defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

IN THE MISSOURI CIRCUIT COURT  
FOR THE ELEVENTH JUDICIAL CIRCUIT  
COUNTY OF ST. CHARLES

RECEIVED

JUN 22 2018

JUDY ZERR  
CIRCUIT CLERK  
ST. CHARLES COUNTY

A.M., by and through his mother  
and next friend, Aparna Deora,  
Ph.D.,

v.

SSM HEALTH ST. JOSEPH  
HOSPITAL ST. CHARLES d/b/a  
SSM HEALTH MEDICAL GROUP,

Defendant.

1811-CC00606

Div. 1

FILED

JUN 22 2018

JUDY ZERR  
CIRCUIT CLERK  
ST. CHARLES CO

PLAINTIFF'S MOTION TO PROCEED UNDER A PSEUDONYM

Plaintiff A.M., by and through his mother and next friend, Aparna Deora, Ph.D.,  
moves for an order to proceed using a pseudonym for his name in this matter.

Plaintiff is a minor and does not wish for his name to be disclosed to the public.  
The anonymity of Plaintiff is appropriate to protect his identity and privacy, and will not  
prejudice Defendant. Plaintiff is agreeable to disclosing his identity to Defendant and to  
the Court as the Court may direct.

WHEREFORE, Plaintiff requests that the Court enter an order allowing Plaintiff  
to proceed using a pseudonym in the above-captioned matter and granting such other  
relief as this Court deems just and proper.

SO ORDERED THIS 22 DAY OF June, 2018

Circuit Judge

Aparna Deora, Ph.D.

1559 Timberlake Manor Pkwy

Chesterfield, MO 63017

aparnadeora@hotmail.com

Plaintiff



## IN THE 11TH JUDICIAL CIRCUIT, ST. CHARLES COUNTY, MISSOURI

Judge or Division: TED HOUSE	Case Number: 1811-CC00606	(Date File Stamp)
Plaintiff/Petitioner: APARNA DEORA PHD	Plaintiff's/Petitioner's Attorney/Address APARNA DEORA PHD 1559 TIMBERLAKE MANOR PKWY CHESTERFIELD, MO 63017	
Defendant/Respondent: SSM HEALTH ST JOSEPH HOSPITAL ST CHARLES DBA: SSM HEALTH MEDICAL GROUP	Court Address: 300 N 2nd STREET SAINT CHARLES, MO 63301	
Nature of Suit: CC Other Miscellaneous Actions		

## Summons in Civil Case

The State of Missouri to: SSM HEALTH ST JOSEPH HOSPITAL ST CHARLES

Alias:

DBA: SSM HEALTH MEDICAL GROUP

711 VETERANS MEMORIAL PKWY  
SUITE 300  
SAINT CHARLES, MO 63303

COURT SEAL OF



ST. CHARLES COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

6/22/2018

Date

/S/ Judy Zerr

Clerk

Further Information:

## Sheriff's or Server's Return

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Served at \_\_\_\_\_ (address)

in \_\_\_\_\_ (County/City of St. Louis), MO, on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

**Must be sworn before a notary public if not served by an authorized officer:**

Subscribed and sworn to before me on \_\_\_\_\_ (date).

(Seal)

My commission expires: \_\_\_\_\_

Date

Notary Public

## Sheriff's Fees, if applicable

Summons \$ \_\_\_\_\_

Non Est \$ \_\_\_\_\_

Sheriff's Deputy Salary

Supplemental Surcharge \$ 10.00

Mileage \$ \_\_\_\_\_ ( \_\_\_\_\_ miles @ \$. \_\_\_\_\_ per mile)

**Total** \$ \_\_\_\_\_A copy of the summons and a copy of the petition must be served on **each** defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



IN THE MISSOURI CIRCUIT COURT  
FOR THE ELEVENTH JUDICIAL CIRCUIT  
COUNTY OF ST. CHARLES

RECEIVED

JUN 22 2018

JUDY ZERR  
CIRCUIT CLERK  
ST. CHARLES COUNTY

A.M., by and through his mother )  
and next friend, Aparna Deora, )  
Ph.D., )

v. )

SSM HEALTH ST. JOSEPH )  
HOSPITAL ST. CHARLES d/b/a )  
SSM HEALTH MEDICAL GROUP, )

Defendant. )

1811-CC00606

DIV. 1

**PLAINTIFF'S MOTION TO PROCEED UNDER A PSEUDONYM**


Plaintiff A.M., by and through his mother and next friend, Aparna Deora, Ph.D., moves for an order to proceed using a pseudonym for his name in this matter.

Plaintiff is a minor and does not wish for his name to be disclosed to the public. The anonymity of Plaintiff is appropriate to protect his identity and privacy, and will not prejudice Defendant. Plaintiff is agreeable to disclosing his identity to Defendant and to the Court as the Court may direct.

WHEREFORE, Plaintiff requests that the Court enter an order allowing Plaintiff to proceed using a pseudonym in the above-captioned matter and granting such other relief as this Court deems just and proper.

SO ORDERED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2018

\_\_\_\_\_  
Circuit Judge

  
Aparna Deora, Ph.D.  
1559 Timberlake Manor Pkwy  
Chesterfield, MO 63017  
[aparnadeora@hotmail.com](mailto:aparnadeora@hotmail.com)  
Plaintiff

IN THE MISSOURI CIRCUIT COURT  
FOR THE ELEVENTH JUDICIAL CIRCUIT  
COUNTY OF ST. CHARLES

FILED

JUN 22 2018

JUDY ZERR  
CIRCUIT CLERK  
ST. CHARLES CO.

A.M., by and through his mother )  
and next friend, Aparna Deora, )  
Ph.D., )

v. )

SSM HEALTH ST. JOSEPH )  
HOSPITAL ST. CHARLES d/b/a )  
SSM HEALTH MEDICAL GROUP, )

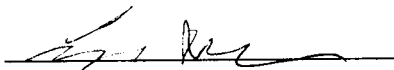
Defendant. )

1811-CC00606

DIV. 1

**ACKNOWLEDGMENT AND CONSENT TO  
APPOINTMENT AS NEXT FRIEND**

I, Aparna Deora, Ph.D., of legal age and competency, state under oath that I am the Natural Mother of A.M., a minor child, who resides with me at 1559 Timberlake Manor Parkway, Chesterfield, Missouri 63017. I consent to being appointed as Next Friend for the purpose of filing a lawsuit on behalf of A.M. against SSM Health St. Joseph Hospital St. Charles d/b/a SSM Health Medical Group.

  
Aparna Deora, Ph.D.  
1559 Timberlake Manor Pkwy  
Chesterfield, MO 63017  
[aparnadeora@hotmail.com](mailto:aparnadeora@hotmail.com)

STATE OF MISSOURI     )

)

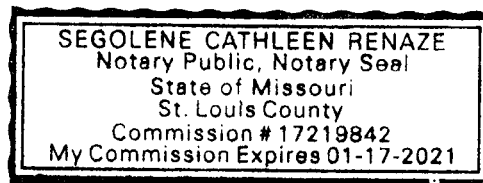
COUNTY OF ST. LOUIS    )

On this 16<sup>th</sup> day of March, 2018, before me, the undersigned notary public, personally appeared Aparna Deora, Ph.D., known to me to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same for the purposes therein contained. In witness whereof, I hereunto set my hand and official seal.

*Segolene Cathleen Renaze*

Notary Public

My Commission expires: \_\_\_\_\_



IN THE MISSOURI CIRCUIT COURT  
FOR THE ELEVENTH JUDICIAL CIRCUIT  
COUNTY OF ST. CHARLES

FILED

JUN 22 2018

JUDY ZERR  
CIRCUIT CLERK  
ST. CHARLES CO.

A.M., by and through his mother )  
and next friend, Aparna Deora, )  
Ph.D., )

v. )

SSM HEALTH ST. JOSEPH )  
HOSPITAL ST. CHARLES d/b/a )  
SSM HEALTH MEDICAL GROUP, )

Serve person in charge: )  
711 Veterans Memorial )  
Pkwy, Suite 300 )  
Saint Charles, MO 63303 )  
Defendant. )

1811-CC00606

DIV. 1

**VERIFIED PETITION**

Plaintiff A.M., by and through his mother and next friend, Aparna Deora, Ph.D., brings this action against Defendant SSM Health St. Joseph Hospital St. Charles d/b/a SSM Health Medical Group under the Telephone Consumer Protection Act of 1991, 47 U.S.C. § 227, and the regulations promulgated thereunder (TCPA).

**PARTIES, JURISDICTION, AND VENUE**

1. Plaintiff A.M. is a minor residing in St. Louis County, Missouri, and Aparna Deora, Ph.D., is his natural mother.
2. Defendant SSM Health St. Joseph Hospital St. Charles d/b/a SSM Health Medical Group is a Missouri corporation registered with the Missouri Secretary of State.
3. This Court has personal jurisdiction over Defendant, a Missouri corporation.
4. Venue is proper under Missouri Revised Statutes § 508.010.

5. Plaintiff regularly uses the cellular telephone to which cellular telephone number XXX-XXX-4704 has been assigned.

6. Plaintiff obtained that telephone number on August 5, 2017.

7. The voicemail greeting message that Plaintiff recorded, to be played on all incoming calls unanswered by Plaintiff, identified Plaintiff by name.

8. Upon information, based on other annoying calls and text messages that Plaintiff has received, Plaintiff's cellular telephone number XXX-XXX-4704 had been assigned to Steven McIntyre or Melissa McIntyre prior to Plaintiff's using that number.

### **SUMMARY OF THE TCPA**

9. The TCPA provides in part:

(b) Restrictions on use of automated telephone equipment

(1) Prohibitions **It shall be unlawful** for any person within the United States, or any person outside the United States if the recipient is within the United States—

(A) **to make any call** (other than a call made for emergency purposes or made with the prior express consent of the called party) **using any automatic telephone dialing system or an artificial or prerecorded voice—**

\* \* \*

(iii) **to any telephone number assigned to a** paging service, **cellular telephone service**, specialized mobile radio service, or other radio common carrier service, or any service for which the called party is charged for the call, unless such call is made solely to collect a debt owed to or guaranteed by the United States . . . .

47 U.S.C. § 227(b)(1)(A)(iii) (emphasis added).

10. The implementing regulation, titled, "Delivery Restrictions," similarly



provides:

(a) **No person or entity may:**

(1) Except as provided in paragraph (a)(2) of this section, **initiate any telephone call** (other than a call made for emergency purposes or is made with the prior express consent of the called party) **using an automatic telephone dialing system or an artificial or prerecorded voice;**

\* \* \*

(iii) **To any telephone number assigned to a** paging service, **cellular telephone service**, specialized mobile radio service, or other radio common carrier service, or any service for which the called party is charged for the call.

47 C.F.R. § 64.1200(a)(1)(iii) (emphasis added).

11. The TCPA provides for statutory damages of \$500 to \$1,500 **per violation** of Section 227(b) of the TCPA and of the implementing regulation, 47 C.F.R. § 64.1200. *See* 47 U.S.C. § 227(b)(3).

12. Specifically, the TCPA's damages provision states,

(3) **Private right of action** A person or entity may, if otherwise permitted by the laws or rules of court of a State, bring in an appropriate court of that State—

(A) an action based on a violation of this subsection or the regulations prescribed under this subsection to enjoin such violation,

(B) an action to recover for actual monetary loss from such a violation, or to receive **\$500 in damages for each such violation**, whichever is greater, or

(C) both such actions.

47 U.S.C. § 227(b)(3)(A)-(C) (second emphasis added).

13. If the Court finds that Defendant “willfully or knowingly” violated Section 227(b) “or the regulations prescribed under this subsection,” the Court may increase the award amount up to threefold, i.e., \$1,500 per violation of the statute and per violation

of the regulation. 47 U.S.C. § 227(b)(3); see *Lary v. Trinity Physician Fin. & Ins. Servs.*, 780 F.3d 1101, 1106 (11th Cir. 2015) (holding that district court erred in limiting damages to one violation per call; “the statute allows a person to recover ‘\$500 in damages for each’ ‘violation of this subsection’”; “Section 227(b)(1) has no language limiting the recovery to \$500 per ‘call’ or ‘fax’”); cf. *U.S. Bands & Orchestra Supplies, Inc. v. JT Group, Inc.*, No. 1611-CC00327 (St. Charles County Cir. Ct. Sept. 11, 2016) (awarding \$3,000 per fax).

### **DEFENDANT’S PRERECORDED ROBOCALLS**

14. In 2017 and continuing into 2018, Defendant used an “automatic telephone dialing system,” as defined by 47 U.S.C. § 227(a)(1), to make calls to Plaintiff on Plaintiff’s cellular telephone and to deliver a message with a prerecorded voice.

15. In each instance, the prerecorded voice message stated,

This is an important call from SSM Health Medical Group. Our records indicate there is an open account balance. Please contact our office at 636 669 2411. Our normal business hours are 8 a.m. to 5 p.m. Thank you. And again our number is 636 669 2411.

16. Defendant’s calls to Plaintiff occurred on at least the following seven dates: November 22 and 30, 2017; December 8, 19, and 27, 2017, and January 4 and 19, 2018.

17. Defendant’s calls to Plaintiff (a) annoyed, disturbed, and harassed Plaintiff, (b) were a nuisance, (c) concerned Plaintiff because the calls falsely indicated there was an open account balance, yet Plaintiff had no open account with Defendant, (d) intruded upon Plaintiff’s solitude and seclusion, (e) wasted Plaintiff’s time, and (f) diminished the battery life on Plaintiff’s cellular telephone, thereby damaging Plaintiff in a concrete and particularized way.

18. Defendant’s calls to Plaintiff were placed to a telephone number assigned

to a cellular telephone service.

19. Defendant's calls to Plaintiff were not made for emergency purposes.

20. Defendant's calls to Plaintiff were not made with the "prior express consent" of Plaintiff.

21. Prior to receiving the above-noted calls, Plaintiff had never provided his cellular telephone number to Defendant.

22. Defendant never received Plaintiff's "prior express consent" to receive calls using an automatic telephone dialing system or an artificial or prerecorded voice on Plaintiff's cellular telephone.

23. Defendant's calls to Plaintiff were not made to collect a debt owed to or guaranteed by the United States.

24. Each of Defendant's calls to Plaintiff violated 47 U.S.C. § 227(b)(1)(A)(iii) because they were made using an automatic telephone dialing system.

25. Each of Defendant's calls to Plaintiff violated 47 U.S.C. § 227(b)(1)(A)(iii), because they were made using an artificial or prerecorded voice.

26. Each of Defendant's calls to Plaintiff violated 47 C.F.R. § 64.1200(a)(3), because they were initiated using an automatic telephone dialing system.

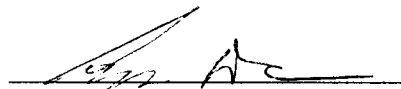
27. Each of Defendant's calls to Plaintiff violated 47 C.F.R. § 64.1200(a)(3), because they were initiated using an artificial or prerecorded voice.

28. Defendant willfully or knowingly violated 47 U.S.C. § 227(b) and 47 C.F.R. § 64.1200, because Defendant's calls were made intentionally to Plaintiff's cellular telephone number and Plaintiff's name was stated on the voicemail greeting that played before Defendant left each of its harassing voicemail messages, yet Defendant kept calling and harassing Plaintiff.

WHEREFORE, Plaintiff seeks judgment against Defendant for damages of at least \$42,000.00, prejudgment interest at 9 percent per annum commencing January 19, 2018 (when the last call was made), costs, and any additional relief deemed just and proper.

**DOCUMENT PRESERVATION DEMAND**

Plaintiff demands that Defendant take affirmative steps to preserve all records, lists, electronic databases, and documents concerning Defendant's calls to Plaintiff or to Plaintiff's cellular telephone number.



Aparna Deora, Ph.D.  
1559 Timberlake Manor Pkwy  
Chesterfield, MO 63017  
[aparnadeora@hotmail.com](mailto:aparnadeora@hotmail.com)

STATE OF MISSOURI     )

)

COUNTY OF ST. LOUIS    )

On this 16<sup>th</sup> day of March, 2018, before me, the undersigned notary public, personally appeared Aparna Deora, Ph.D., known to me to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same for the purposes therein contained. In witness whereof, I hereunto set my hand and official seal.



Notary Public

My Commission expires: \_\_\_\_\_

